

1882-008 Chancery Causes: Thomas J. Carroll vs Adm. of Cassoway Carroll & Co.
Lee Co.

Blankenship, Williams, Page, Adams, Lucas, Burch

CA - Estate Dispute
T - Property

To the Honorable John A. Kelly, Judge of the
Circuit Court of Lee County:-

Humbly Complaining, Sheweth unto your Honor,
your orator, Thomas J. Carroll, that his father
Bazouay Carroll, departed this life intestate
about the 1st of April, 1880, seized and
possessed of a large estate both real and person-
al in Lee County, Virginia; that on the

day of April, 1880, letters of admin-
istration were granted by the County
Court of Lee County to Geo. H. C. Blair
Kinslip, as the personal estate of said
decident. That the said decident left
Mendania Carroll, his widow, who is
entitled to and has not had done
assigned her in the real estate of the
decident, and the following heirs and
distributors to-wit: your orator,
Polly⁽²⁾ Williams, formerly Carroll and
Niri Williams his husband, John⁽³⁾
Carroll, Sally⁽⁴⁾ Ruge, formerly Carroll
and Henry Ruge her husband, Sindy⁽⁵⁾
formerly Carroll and
her husband, Miziah Ruge, formerly⁽⁶⁾
Carroll and James Ruge her husband,
Emiline⁸ Adams, formerly Carroll and
Zekiel Adams her husband, Sebbey⁹
Carroll, Sindy¹⁰ Carroll, Benjamin¹¹
Carroll, Jack¹² Carroll, Marion

13
15
Leavell, Jennie¹⁴ Leavell and Henderson
Leavell. The last named four of whom
are Infants under the age of 21 years.

Your orator further states that said
land lies about 4 miles N.W. of
Janesville on the Waters of Sugar
Run, joining the lands of John
Lucas et al and is the same
land upon which the decedent
lived at the time of his death:
Contains about 275 and is suscep-
tible of division.

Your orator further states that
it was the purpose of the decedent
to make certain advancements to
his Children - to wit: To his
sons one horse worth \$100 -
and to his girls one bed and
one cow worth \$20 - and
he went so far in his lifetime
towards carrying this purpose
that he actually did make such
advancement to all of his
Children except the 4 Infants
named and to your orator and
Emeline Adams, Debby Leavell
and Cindy Leavell who have
received nothing in the way of

advancements.

Your orator now charges that there are no debts against decedent's estate and states that he does not know just what the personal estate will amount to, but he believes and charges that it will not be sufficient to pay the advancements to those of the heirs of said estate to whom nothing was advanced in the lifetime of the decedent. If this should turn out to be the case your orator is advised that a Court of Equity will adjust and make up to those who have had nothing in the division of the land.

Your orator will now state that no relief is asked against L. L. Blankenship, administrator of the decedent, and he will only be made a party to this suit for the purpose of ascertaining the amount of the personal estate so that the Court will know whether or not to consider the question of advancement in directing a partition of the real estate.

The prayer, therefore, of your orator is that L. L. Blankenship, administrator of

The Estate of Lazarus Carroll, Mendon,
Carroll, Pally Williams, Ari Williams,
John Carroll, Sally Page, Kenny Page,
Sindy — formerly Carroll & — her
husband, Mizziah Page, James Page,
Emeline Adams, Zekiah Adams,
Leahy Carroll, Sindy Carroll, Benjamin
Carroll, Dock Carroll, Marion Carroll,
Jennie Carroll, and Henderson
Carroll be made parties defendants
to this Bill and be required to
answer the same upon oath; that
done he assigned the said widow,
that a division of the personal and
real estate be had among those es-
titled and that the be brought
into the Court; that an account
of the advancements be taken
and that the administration
account of L. L. L. Blackenship
be settled for the purpose herein-
before named: that your order
be granted general relief and as
his duty bound he will ever pray.
May I be issue &c.

Wm A. Orr for
Plff

100
Pd G¹² 12.57 1/2 July 1891

Pr 6.00
G. A. L. 5.00
C 44.07
44.88

Estimated 20.27

Receipted 1/4

May 17/91

Hyatt C² 2. Paid

Thomas J. Carroll

as Bill

C. C. Blankenship, adm
vs. et al

1880 June Bill Filed + O. P.
" July, Chd Excd on home debts
Dearee vs. F. R. Stickle
appts G. A. L. for infant debts
Lupis filed his answer.
1880 Aug. D. N. vs home debts Conf.
Order Pub Comm¹ set for
hearing by Plff.
1881 Decree for acct.
1881 Mr Dearee + Acct.
1881 Aug. Dearee cont'd.
1882 Mr. Dearee final
Chcy. O. B. 238

John Lucas vs
has 3 1/2

31.80
43.00
34.10

Chd 1891

To the Honorable John A. Kelly Judge of The
Circuit Court of Lee County Virginia
The petitioners, John Lucas, and James M. Lucas,
who humbly complaining respectfully rep-
resent, that your Complainants have an
interest in, The Chancery Cause of Thomas
J. Carroll, against E. C. Blankenship admr,
et al; now pending in this Honorable Court.

The said Cause has for its object
among other things the partition of certain
lands which belonged to Dr. Gassaway Carroll
in his lifetime, and which descended to the
plff and his co-heirs believed to be properly
named in said Suit. Since the death
of said Gassaway Carroll, your petitioner,
John Lucas, has purchased from Henry Page
and Sally his wife James Page's ^{legitimate} share his
and the share of Malinda Carroll to the top of Poor valley ridge
wife, their respective shares in said real estate
and has deeds of Conveyance therefor, which will
if deemed necessary be filed herewith. And your
Complainant has also an equitable interest in
the share of Lucinda Burch, but has as yet
no conveyance therefor. Your Complainant James
M. Lucas, a son of your Complainant John
has purchased the interest of John Carroll to the
top of Poor valley ridge and has a deed
therefor. They your Complainants further repre-
sent that they are the owners in fee of

after lands adjacent to the said lands of
 the late Dr. Carroll, and that they desire any
 interest they may have in said Carroll lands
 to be laid off adjacent their other lands and
 adjacent each other, and they represent that
 this can be conveniently done without
 injury to any one. Their prayer therefore
 is that they be made parties to said bill
 and that this their petition taken as an answer
 thereto and that said lands be divided
 and partitioned as herein indicated. And for
 general relief. &c.

Witness A. S. Pendimore for
 Petitioners

John James M. Lucas

In 3 Petition

Carroll or Plantership et al

Filed Aug. 1881

J. A. Syrett
clerk

To the Honorable John A. Kelly Judge of the Circuit
Court of Lee County Virginia:

The joint answer of Dock Carroll, Marion
Carroll, Jennie Carroll and Henderson Carroll,
infants under the age of 21 years, ^{by F.R. Stickley their Guardian ad litem.} to a Bill in
Chancery filed in your Honor's Court against these
wards and others by Thomas J. Carroll.

These respondents reserving to themselves the
benefit of all just and proper exceptions to
said Bill, for answer thereto, or to so much thereof
as they are advised that it is material for them
to answer, by their said Guardian ad litem an-
swer and say, that they themselves know nothing
of the truth or falsity of the allegations in the
Plaintiff's Bill, and they are advised of no de-
fence proper for them to make - that they are
Infants of tender years, and by reason of their
infancy are incapable of understanding or taking
care of their rights and interests; but this Court
is a Court of Equity, and such Courts being
the peculiar Guardian of the rights and in-
terests of Infants, these respondents therefore
by their said Guardian ad litem begs leave
to place their rights and interests in the hands
of your Honor, knowing that they will be
here protected.

Fred. R. Stickley,
Guardian ad litem.

Subscribed to,
J. W. Omelt.

~~Thomas J. Carroll~~

C. C. Blankenship

et dnrse et als

ads { Answer
Guardian ad litem

Thomas J. Carroll

Filed July Rules 1880.

G. A. L. fee \$5.00

To the Hon. John A. Kelly, Judge of the Circuit Court
of Lu County: -

The separate answer of Benjamin
T. Canall to a bill in Chancery filed in this
Honorable Court against this respondent and
attorned by Thomas J. Canall, This respondent
reserving to himself all just and legal exceptions
to said bill says that he has received as an
advancement from his father in his lifetime
and under both worth about fifteen dollars.

As to the remaining allegations to Complainant's
bill this respondent knows of no defense
proper for him to make but asks the
Court to require the plaintiff to proceed
with his case according to the rules of
law and equity.

Having not answered as fully as what is
deemed necessary he prays to be hence
dismissed.

Wm A. Orr p.c.

Sworn to before me July 5th 1880.

J. R. Stickney C.

20m
Benjamin T. Carroll

advs J. A. Auer


Thos J. Carroll
Filed July 1880.
J. R. Stickney

That Henderson Canoll take and hold
lot no 6, That Emily Adams (formerly Canoll)
take and hold lot no 7, That Polly
Williams (formerly Canoll) take and hold
lot no 8, That Debie Canoll take and
hold lots no 9 and 13, That Thomas Canoll
the plaintiff take and hold lot no 10th
That Lucinda Birch take and hold lot no
11 as and for her interest on the north side of
the ridge, that on the south having been
assigned John & James Lucas, her vendors,
That Malinda Canoll, take and hold as
and for her interest on the north side of the
ridge lot no 12, her interest on the south
side having been already assigned herein
to John and James Lucas, her vendors -
That Benjamin Canoll take and hold
lot no 14, - and the Court doth further
order, that the holders of lots, no, 3,
no 4, no 5, no 6, no 7, no 8, and no 9, take
and hold them subject to the widows right
of dower therein for so much thereof as
is shown by said plat & report, to be
embraced within said dower lines. And
the clerk will furnish, the decree
directing partition of these lands, the plat
and report of the Commissioners, partitioning
the same, and this decree, to be ~~by~~ by said

the Clerk of the County Court of Lee
County, who will record the same in
the deed book kept by him, said
clerks plat & report and duly index the
same, as deeds. And the Court doth order
that the plff recover $13/4$ of the cost of
^{Charles Blankenship and the widow Mrs. Carroll, against}
this suit from the defendants, to be paid
by each of them, to the plff according to
the interest each may hold by the assign-
ment aforesaid, ~~but the widow Mrs. M.~~
~~Carroll, is exempt from the payment~~
~~of any costs hereunder;~~ The clerk will
issue ~~only one~~ execution, upon this decree
for costs as upon one judgement, but
tax on the same the amt, due from each,
and should the parties owing the same, fail
to pay the same, a lien upon such share
or lot of land is hereby declared to
exist, in favor of the plff for such
unpaid balance. And no further action
being necessary the cause is stricken
from the docket with leave to any
of the parties to re-instate the same for
the purpose of enforcing this decree.
And the cause is stricken from the docket

when the costs are to be taxed?

Thomas J. Carroll

vs  Decree.

Lind

C. C. Blankenship
admo.

March 5. 1882

Entered Pages 238+9

J. H. Hyatt
Clerk

Recorded in Deed Book
No 19. Page 608.

J. R. Gibson Clerk

Enter this

March 31. 1882
J. H. K.

Thomas J. Carroll - - - - - Pres.

Against

Dr. Chy

No. Co. Blankenship et al, vs.

This cause came on again to be heard upon the papers formerly read, and the petition of John & James M. Lucas, this day by leave of the Court filed in this cause. On consideration whereof the Jst is directed to so amend his bill as to make said petitioners parties to his bill and the same is accordingly ^{done} filed and said amendment made, - and therefore said cause came to be further heard by consent ^{an consideration whereof the Court doth} of said petitioners, Eli Davis, E. J. Woodward and ^{John} ~~John~~ ^{and} ~~they are hereby appointed~~ special Commissioners for the purpose, who shall go upon the lands mentioned in the bill, of which Gasaway Carroll died seized ~~and~~ first lay off and assign Madania Carroll widow of Gasaway Carroll, one third in rental value of said lands including the mansion house if desired by said widow, if not such dwelling as they may deem most fit & proper for her, they will then lay off and assign, to each of the said Gasaway heirs at law, or their vendees 1/5 part of said land so laid off as to embrace the widows dower subject to ^{her} rights. They will lay off to John Lucas and James M. Lucas the shares they have purchased, adjoining their other lands provided the same can be so laid off as not to injure the other parties in interest - and the ^{of shares} ~~infinitesimal~~ will be laid off adjoining their mother's

lower lands, and adjoining each other if that can
 be done, without injury to others, in interest -
 They will make out a fair plat and report
 showing the lower of said widow, and the
 meter and boundary, of each share or parcel of land
 laid off and assigned each party - and where
 one party or her heirs own two or more shares
 that will be laid off adjacent each other if
 convenient, and ^{not} injurious to others - They will
 make a report accompanied with plat to this
 Court at some future term of this Court &
 the cause is continued.

Thomas J. Carroll

Decree for
 Partition

L. C. Blauvelt's share

~~Adm. of the estate of~~

Entered on page 200-

J. A. Hyatt

Recorded in Deeds

Book No. 12 Page 604

John P. Chisholm clerk

Enter this

Aug. 26/1881.

J. A. H.

T. J. Canall

Plff

vs

J. L. Ledy

C. C. Blankenship, admo Sept

This Cause came on this day to be heard upon the papers formerly made in the Cause, and the order of continuance entered in the Docket heretofore is hereby set aside, and the Court awards a writ of Possession of the land in this Cause named to C. C. Blankenship, Comr. & C who was at a former day of this term appointed to read the same. & the Cause is continued.

C. C. Blauyship
Adm. to ad
and } over

J. J. Carroll

Entered Page 170.

John C. Orr, D. C.

Entered
in A. K.
Apr 4/81

Thomas J. Carrall Plff
vs
J. L. Chy

Le. Co. Blankenship adms & als Lfft

This cause came on this day
to be heard upon the paper formerly
made in the cause and the Report
of Commissioner James W. Orr, and
was argued by Counsel, and the
said report having been filed
the time required by Law and the
same being excepted to the ~~same~~ ^{at}
is hereby confirmed. Upon consid-
eration of all which the Court doth
adjudge, order and decree
that the said Adm. Le. Co. Blank-
enship, ^{who is hereby appointed a Special Commis-}
sioner, ~~and~~ the land for
the present year and collect
and report the same to the
~~next term of this Court.~~ And
the Court further adjudge that
he pay ^{the} ~~the~~ costs of this suit out
of the funds now in his hands
belonging to ~~the~~ estate of
Gazaway Carrall, ^{dec.} and the
cause is continued.

Thos J. Carroll

vs } sworn for
Rintyng.

C. C. Blankenship ^{advers}
vs et al

Centered Page 158.

James W. Orr, Clk.

Center

In A. K.

March 31/81

Thomas J. Carroll p[er]s. v. C. C. Blankenship adm[or]. et al Defts.

This cause came on to be heard on the bill taken for Confe-
red against the defendants who have not answered; The answer
of the infant defendants by their guardian ad litem; the answer
of Benjamin T. Carroll, and the arguments of Counsel. On
consideration whereof it is adjudged, ordered and decreed that
Jas W Orr one of the Court's Commissioners do take an account
of any and all advancements made by decedent to his children
in his lifetime. If said Commissioner find that there were no advan-
cements made, he will simply report that fact. If he find
that an advancement were made he will report them; and
show what amounts it will require to equalize those not
advanced, or not equally advanced with those having the greatest
advancement: and he will further ascertain whether there
will be in the hands of the administrator, after applying the
widow's 1/3 of the surplus personal estate after payment of debts &
charges, assets sufficient to equalize the advancements. And
if necessary to do this, he will settle the administrator's account
of C. C. Blankenship administrator. He will on a bill
his report on these together with any other matters specially stated
deemed pertinent by himself, or required by any party to be stated &
the cause is continued

Thos J Carroll
of Decree
C. C. Blankenship
Schurdtal

Ent page 140.
as W. O. Ck.

Ent
J. H. L.
apt. 31/80

Advertised for
Feb 14th 1881.

The deposition of Thomas J. Carroll, ^{doct} taken before the undersigned Commissioner in taking an account in the Chancery cause of said Carroll plaintiff against C. C. Blankenship, Admr et als, defendants, in regard to advancements received by the children and heirs of Gasaway Carroll decd, from said decedent in his lifetime, ^{Feb 11th 1881.} The said witness being of lawful age deposes and says.

My father Gasaway Carroll deceased, left at the time of his death, the following children surviving him, to wit: - Polly, who married Neri Williams, John Carroll, Thomas J. Carroll, Sarah who married Henry Page, Lucinda who married Thomas Burch, Kessiah who married James Page, Emaline who married Ezekiel Adams, Delia Carroll, Malinda Carroll, Benjamin L. Carroll, James Gasaway Carroll, Marion Carroll, ~~Leathimus Carroll~~, Jennie Carroll, Henderson Carroll, of these Lucinda was advanced by my father, Gasaway Carroll, after her marriage, one heifer worth \$7.00 and this is all the advancement made by him of which I had actual knowledge. And further this deponent saith not.

Thomas J. ^{this} Carroll
_{mark}

John Carroll another witness of lawful age, and being first duly sworn, deposes and says. -

I received from my father, Gasaway Carroll decd as an advancement, one heifer worth \$5.00, and one colt worth \$12.00, Polly received a heifer worth

\$10.00, Kessiah received one cow I think worth \$20.00
Sarah received one ~~cow~~ heifer, probably worth \$8.00,
I know of no other advancements definitely, except
the one referred to by Benjamin L Carroll in his answer.
And further this deponent saith not.

John C ^{his} Carroll
mark

Benjamin L Carroll another witness of lawful age,
and being first duly sworn, deposes and says.

As I have stated in my answer in this cause, I received
from my father, Gasaway Carroll, Decd, as an advance-
ment, one mule colt worth \$15.00, and I concur in
the statements made by Thomas J Carroll & John C
Carroll in their depositions, in regard to the advance-
ments of which they testify, which depositions have
been read to me, and in addition thereto, can state
that, Emiline Adams received \$12.00 in cash, Delia
received \$2.50 & Malinda received \$2.50 ^{in cash} as advance-
ments from their father in his lifetime.

And further this deponent saith not.

Benjamin ^{his} Carroll
mark

The foregoing depositions were taken, subscribed and sworn
to before me at the time, and for the purposes, in the
caption mentioned. Given under my hand Feb. 14th 1881.

James W Orr. Comr.

Statement of advancements made by Gasaway			
Carroll to his children in his lifetime, to wit,			
		Received	Let due
Polly Williams received		10.00	10.00
John Carroll	"	17.00	3.00
Thos J Carroll	" Nothing		20.00
Sarah Page	"	8	12.00
Lucinda Burch	"	7.00	13.00
Kessiah Page	"	20.00	
Emaline Adams	"	12.00	8.00
Deba Carroll	"	2.50	17.50
Malinda Carroll	"	2.50	17.50
Benjamin Carroll	"	15.00	5
James Gasaway Carroll	" Nothing		20.00
Marion Carroll	" "		20.00
Jennie Carroll	" "		20.00
Henderson Carroll	" "		20.00
Amount to be paid those not ^{fully} advanced			186.00

Thos J Carroll

vs { Depo^t + Statement
of advancements.

C. C. Blankenship, App^r
et al^s

C.

3 hoes to Mendane Carroll	for	dol. 60 cts
2 bushels of Wheat to A Brandingburg	for	2.00 dol cts
5 bushels of Wheat to James Hawkins	for	5.00 dol. 35 cts
9 bushels of corn to Benjamin F Carroll	for	4.00 dol 60 cts
9 bushels of corn to Sepur A Collins	for	4.00 dol 60 cts
9 bushels of corn to David Clark	for	4.00 dol 55 cts
1 pare of Shiliards to Mendane Carroll	for	dol 15 cts
1 pare of Sadel bags to A Minney	for	2.00 dol cts
1 Matlock to Mendane Carroll	for	dol. 2.5 cts
1 Bive to Mendane Carroll	for	dol 70 cts
1 pare of old Sadel bags to Joel Bays	for	dol 2.5 cts
1 hand saw to A Russell	for	1.00 dol cts
2 augurs to Reese Flannery	for	1.00 dol cts
3 hundred feet of inch Plank to Mendane Carroll	for	3.00 dol
7 hundred feet of inch and yuante Plank to James Capps	for	5.00 dol cts
46 pounds of bacon to John Fleener	for	4.00 dol. 95 cts
to five dollars intrust in a cane mill to John Lucas	for	5.00 dol cts
C. C. Blankenship Administrator Amount \$204.25		

Virginia, Lee County Court Clerk's Office May 20th 1880.
 The foregoing Sale Bill of the personal property
 of Cassoway Carroll died was this day filed
 in this office & the same admitted to record.
 Teste - J. R. Stickley D. C.

The Sale Bill of
 Gasaway Carroll
 Estate Sold by
 C. B. Blankenship
 Administrator

The Sale Bill of Gasaway Carroll Estate Sold on
 the 30 day of April 1880 by C. B. Blankenship Administrator
 to wit the following Property to the following Persons
 1 colt to Mathew Bishop for 20 dollars 50 cts
 1 clock to Nather Capps for 10 dollars 75 cts
 8 head of sheep to Joel Turner for 16 dol 25 cts
 1 lot of Plank to Mendane Carroll for 15. dol .60 cts
 1 Cow to George Barlow for 12. dol 25 cts
 1 lot of Medison bottles to Mendane Carroll for 3.00 dol cts
 4 docter Books to A. Woodard for 4.00 dol cts
 1 Jar of docter Sadel ~~pages~~ and a quantity of medecines
 to John Fleenner for 4.00 doll 75 cts
 11 head of hogs to Charley Woodard for 14. dol 25 cts
 1 calf to Thomas Givens for 4 dol 70 cts
 1 stear to Nather Morgin for 11.00 dol
 1 cow to Henry West for 8.00 dol
 1 cow to Mendane Carroll for 15.00 dol 25 cts
 1 man Saddle to John Carroll for 13.00 dol 90 cts
 1 man Saddle to Mendane Carroll for 1.00 dol 35 cts
 1 moing sithe to Mendane Carroll for dol 10 cts
 1 truer sithe to A Russell for dol 50 cts
 1 log chane to A Russell for 1.00 dol 70 cts
 1 flax wheel to James Smith for dol. 20 cts
 1 big wheel to Mendane Carroll for dol. 10 cts
 1 Small tabel to Charley Woodard for dol. 75 cts
 1 Square tabel to Mendane Carroll for dol. 25 cts
 1 Buro to William Weerly for 4.00 dol
 1 Moldbord for big plow to J. Penington for dol. 90 cts

^{Recd}
Gussoway Carroll,
Sole Bill

Recorded in Will
Book No. 3 p 524.

J. R. Stickley D.C.

A

chd 363

May 20th 1881

Inventory of rents &c received by C. C. Blankenship
Admr of Gasaway Carroll decd.

To amount collected on ^{notes &} accounts left by decedent,	\$ 30.00
" " received for rent corn for 1880.	28.97
" " " " wheat " "	27.15
	\$ 86.12

C. C. Blankenship Admr.

C. C. Blanchenship
Attnr.

Inventory of rents
etc

B

C. C. Blankenship Admr of the Estate of Gasaway Canoll.
decd.

In account with said Estate

Amount of Sale Bill due April 30th 1881. "A"	\$204.25
" " of Inventory of rents &c "B"	88.12
Total assets.	\$292.37

1. By this sum paid Jas W Orr clerks fee. 3,	\$ 3.40
2. " " " " A. J. Pennington & Nathan Caffo.	6.25
3. " " " " A. W. Noel acct	.77
4. " " " " H. C. Jolyon costs.	1.00
" 10 per cent Commission on \$292.37 entire fund.	29.23
Balance in Admr's hands	251.72
	\$292.37 \$292.37

Balance in the Admr's hands for distribution after
payment of expenses &c.

One third to be paid the widow

Balance after widow's third

Out of which will have to be paid the costs of
Chancery suit, estimated at.

Will leave to be used in equalizing heirs this sum.

Which will fall short of the required sum \$186.00

\$251.72
83.90
\$167.82
40.00
\$127.82
58.18
\$186.00

C. C. Blankenship, Secy.
of Casaway Carroll dec.
Statement of his acct.

2

Thomas J. Carroll
vs ³/₃ Comrs. Report
Partition
C. C. Blankenship ^{vs et al} ~~Adm~~

Filed Feby 21st 1882

J. A. Hyatt
Clerk

Recorded in Deeds Books at 77.

Pages 604. 5. 6. 77.

John R. Gibson clerk

Comms. fees - - - \$18.00

Clerk of Co. Court 5.00

Pursuant to an Order of the Hon. Circuit Court
of Lee County Va. dated Aug. the 25th 1881,
we E. Davis, E. S. Woodard and Simpson Orr
whose names are herewith subscribed, proceeded
on the 23rd, and previous days of December
1881 to examine and partition the land
owned by Cassaway Carroll at the time of his
death and report as follows:

We first assigned to Mrs. M. Carroll one
third in rental value of the said lands
in two lots containing 35 and 4 acres respectively
each marked "Dower", on the plat herewith filed.
The larger one embraces the dwelling house where
the said widow now resides, and is bounded
as follows: Beginning at a black oak, corner to
Lavina Blankinship's land and running thence
with a line of the first lot
East about 80 poles to a line of J. Lucas's
land and with his lines N. 20° E. 25½ poles to an
apple tree on the E. side of a spring; thence
N. 12° W. 18 poles to a stake in a hollow; thence
north about 4 poles to a stake in the same hollow
Thence West about 104 poles to a stake
Thence South 16 poles to a stake; thence
west 26 poles to a stake at a pond on a line
of said Blankinship's land and with it
S. 7° E. 24 poles to a stake; thence S. 80° E. 45½ poles
to the beginning.

The Smaller lot lies on the S. Side of the Poor Valley Ridge giving the said widow some timber, and is bounded as follows. Beginning at a buckeye on a line of the third lot and running thence East 27 poles across J. Lucas' land to a stake on a line of his old survey and with it N. 10° E. 18 poles to a chestnut oak on the N. Side of the ridge, thence ^{with the outside lines} westwardly along the N. Side of the ridge 29½ poles to a stake corner to the 3rd. lot, and with a line thereof South 18 poles to the beginning.

We then assigned to John Lucas and James Lucas the two lots marked No. 1 and No. 2 respectively as their entire interest, consisting of the Shares of Henry Page and Sallie his wife, and James Page and ^{Jojo} Kessiah his wife and the Shares of John ^{Carroll}, Lucinda Birch, and Malinda Carroll, to the top of the Poor Valley Ridge on the South Side

The first lot marked No. 1 is estimated to contain 14 acres and bounded as follows. Beginning at a black oak corner to the Blankinship land and running thence with it S. $4\frac{1}{2}^{\circ}$ W. 28 poles to a white oak stump, thence with J. Lucas' lines S. 78° E. 59 poles to a Sugartree, thence N. $5\frac{1}{2}^{\circ}$ E. 18 poles to a double thorn bush, thence N. 18° E. $12\frac{1}{2}$ poles to a stake, thence N. $55\frac{1}{2}^{\circ}$ E. 22 poles to a stake corner to the dower, and with a line thereof west 80 poles to the beginning.

The second lot assigned to the two Lucases is marked No. 2. Estimated to contain 16 acres and bounded as follows. Beginning at a Stake corner to the first and third lots and running thence with lines of the eastern boundary N. $55\frac{1}{2}^{\circ}$ E. 5 poles to a Stake; thence N. 61° E. $13\frac{1}{2}$ poles to a Stake; thence North 3 poles to a Stake; thence N. 56° E. $4\frac{1}{2}$ poles to a white Oak Stump; thence N. 6° E. 61 poles to a large chestnut Oak on top of a Spur; thence N. $5\frac{1}{2}^{\circ}$ E. 31 poles to a large walnut; thence ~~N. $10\frac{1}{2}^{\circ}$ E. 22~~ ^{nearly} poles to a chestnut Oak on top of the Poor Valley Ridge; thence S. 80° W. $9\frac{1}{4}$ poles to a Stake on top of the said ridge; thence N. 71° W. 20 poles to a Stake corner to the third lot and with lines thereof South 89 poles to a Stake corner to the widow's larger lot and with lines thereof S. 12° E. 18 poles to an apple tree on the E. Side of a Spring; thence S. $20\frac{1}{2}^{\circ}$ W. $25\frac{1}{2}$ poles to the beginning.

We then assigned to James Carroll as his entire share the lot marked No. 3 on the plat estimated to contain 10 acres and bounded as follows. Beginning at a Stake corner to the 1st. and 2nd. lots and running thence with lines of the second lot N. $20\frac{1}{2}^{\circ}$ E. $25\frac{1}{2}$ poles to an apple tree on the E. Side of a Spring; thence N. 12° W. 18 poles to a Stake in a hollow

corner to the widow's larger dower lot, thence North 71 poles to a buckeye on the South Side of the ridge, corner to the widow's smaller lot and with a line thereof north 18 poles to the outside line near the top of the ridge and along the outside lines near the top of the ridge westwardly about 14 poles to a stake corner to the 4th lot, and with a line thereof South $13\frac{1}{4}$ poles to a stake on the South line of the larger dower lot and with it East about 8 poles to the beginning.

We then assigned to Marion Carroll as his share, the lot marked No. 4, Estimated to contain $9\frac{1}{2}$ acres and bounded as follows:

Beginning at a stake on the South line of the larger dower lot and running thence North 142 poles to a stake on the N. Side of the P. Valley Ridge on a new marked line, thence East about 4 poles to a stake on the outside line and with it S. 42° W. 10 poles to three chestnut oaks on top of the ridge, thence N. 70° E. about 8 poles to a stake, corner to the third lot, and with a line thereof South $13\frac{1}{4}$ poles to a stake on the South line of the widow's larger lot, and with it west 11 poles to the beginning.

We then assigned to Jennie Carroll as her share the lot marked No. 5, Estimated to contain $10\frac{1}{2}$ acres and bounded as follows: Beginning at stake on the South line of the widow's larger dower lot and running thence with said line East 12 poles to a stake corner to the 4th lot and with a line thereof North 142 poles to a stake on a marked line on the north side of the ridge near the top, thence with it West 12 poles to a stake, corner to the 6th lot, and with a line thereof South 142 poles to the beginning.

We then assigned to Henderson Carroll the lot marked No. 6, Estimated to contain $10\frac{1}{2}$ acres, and bounded as follows: Beginning at a stake on the South line of the larger dower lot, and running thence East 12 poles to a stake, corner to the 5th lot and with a line thereof North 142 poles to a stake on a new marked line on the N. Side of the ridge, thence west 12 poles to a stake, thence South with a line of the 7th lot 142 poles to the beginning.

We then assigned to Emily Adams the lot marked No. 7, Estimated to contain 21 acres and bounded as follows:

Beginning at a stake on the Southern line of the larger dower lot, and running thence with it East 24 poles to a stake, corner to the 6th lot and with a line thereof north 142 poles to a stake on a new marked line on the north side of the ridge, and with it West 24 poles to a stake corner to the 8th lot and with a line thereof South 142 poles to the beginning.

We then assigned to Polly Williams

the lot marked No. 8, Estimated to contain 22½ acres and bounded as follows:

Beginning at a stake on the South line of the larger dower lot, and running thence ^{S. 80° E. about 13 poles to a black oak thence} East 12 poles to a stake, corner to the 7th lot, and with a line thereof North 142 poles to a stake on a new marked line on the north side of the ridge; & with it West 26 poles to a stake corner to the 9th lot, and with a line thereof South 142 poles to the beginning.

We then assigned to Debie Carroll two lots marked No. 9 & No. 13 as her share

The 9th is estimated to contain 30 acres and is bounded as follows viz:

Beginning at a stake corner to the larger Dower lot and running thence S. 80° E. about 30 poles to a stake corner to the 8th lot, and with a line thereof North 140 poles to a stake on a new marked line on the north side of the ridge; thence West 65 poles to a stake on top of the ridge in Buckheart's line, and with his lines, South about 68.63 poles to a chinquin oak; thence S. 7° E. 74 poles to ^{the beginning} a stake corner to the Blankinship land

The 13th is estimated to contain 10 acres and is bounded as follows:

Beginning at a chestnut oak and chestnut both bushes on the north side of the ridge on a new marked line corner to the 12th lot and running thence West 12 poles to two chestnut bushes corner to the 14th lot, thence North 136 poles to a stake on Cumberland Mountain thence N. 79° E. 14 poles with the Fisher line to a stake corner to the 12th lot and with a line thereof South 138 poles to the beginning.

We then assigned to Thomas Carroll as his share the lot marked No. 10 Estimated to contain 36 acres and bounded as follows. Beginning at a Chestnut Oak on a new marked line on the north side of the Poor Valley Ridge and running thence North 144 poles to a Stake on the Fisher line on C. Mountain, and with said line N. 79° E. 30 poles to two gums. thence S. 4½ W. 38½ poles to a Stake; thence East 26 poles to a beech and poplar on a branch, thence S. 4½ W. 78 poles to two poplars on the N. side of the ridge; thence S. 82° W. 26 poles to a Stake; thence S. 4½ W. 31 poles to a Stake thence with a new marked line on the N. side of the ridge West 23 poles to the beginning.

We then assigned to Lucinda Birch as her interest on the N. side of the ridge, (her interest on the south side being sold to Jno. & Jas. Lucas) the lot marked No. 11 Estimated to contain 10½ acres and bounded as follows.

Beginning at a Chestnut Oak on a new marked line on the N. side of the ridge and running thence with it west 12 poles to three small Chestnuts corner to the 12th lot, and with a line thereof north 141 poles to a Stake on the Fisher line, and with it N. 79° E. 13 poles to a Stake, corner to the 10th lot, & with a line thereof South 144 poles

to the beginning.

We then assigned to Malinda Carroll as her interest on the N. side of the ridge, (she having sold to Jno. & Jas. Lucas her interest on the south side,) the lot marked No. 12, Estimated to contain 10½ acres and bounded as follows. Beginning at three small Chestnuts on a marked line on the North side of the ridge and running thence ~~west~~ ^{both bushes.} 12 poles to a Chestnut and Chestnut Oak, corner to the 13th lot, and with a line thereof North 138 poles to a Stake on the Fisher line on the mountain and with said line N. 79° E. 13 poles to a Stake corner to the 11th lot, and with a line thereof South 141 poles to the beginning.

We then assigned to Benjamin Carroll the lot marked No. 14, as his entire interest including his own share and the share on the north side of the ridge of John Carroll. Estimated to contain 54 acres and bounded as follows.

Beginning at two Chestnut bushes near the top of the ridge corner to ~~the corner to~~ the 13th lot, and running thence with a line thereof North 136 poles to a Stake

on the Fisher line and with it along
 C. Mountain S. 79° W. about 70 poles to a black
 oak corner to Buckhearts' land and with his line
 S. 4½ E. 120 poles to a stake on top of the ridge
 thence East along a marked line 65 poles to
 the beginning.

We have let most of the Shares run through
 the dower, but found it not convenient to
 extend the dower on all, and we have
 made in our judgment a just allowance
 for the difference between the lots outside
 of the dower. A fair plat of the lands
 is filed with this report which we hope
 will give satisfaction.

All respectfully submitted.

Eli Davis
 J B Orr
 E S Woodward

Commissioners.

Com. charges.

E. Davis 6 days. \$12.00

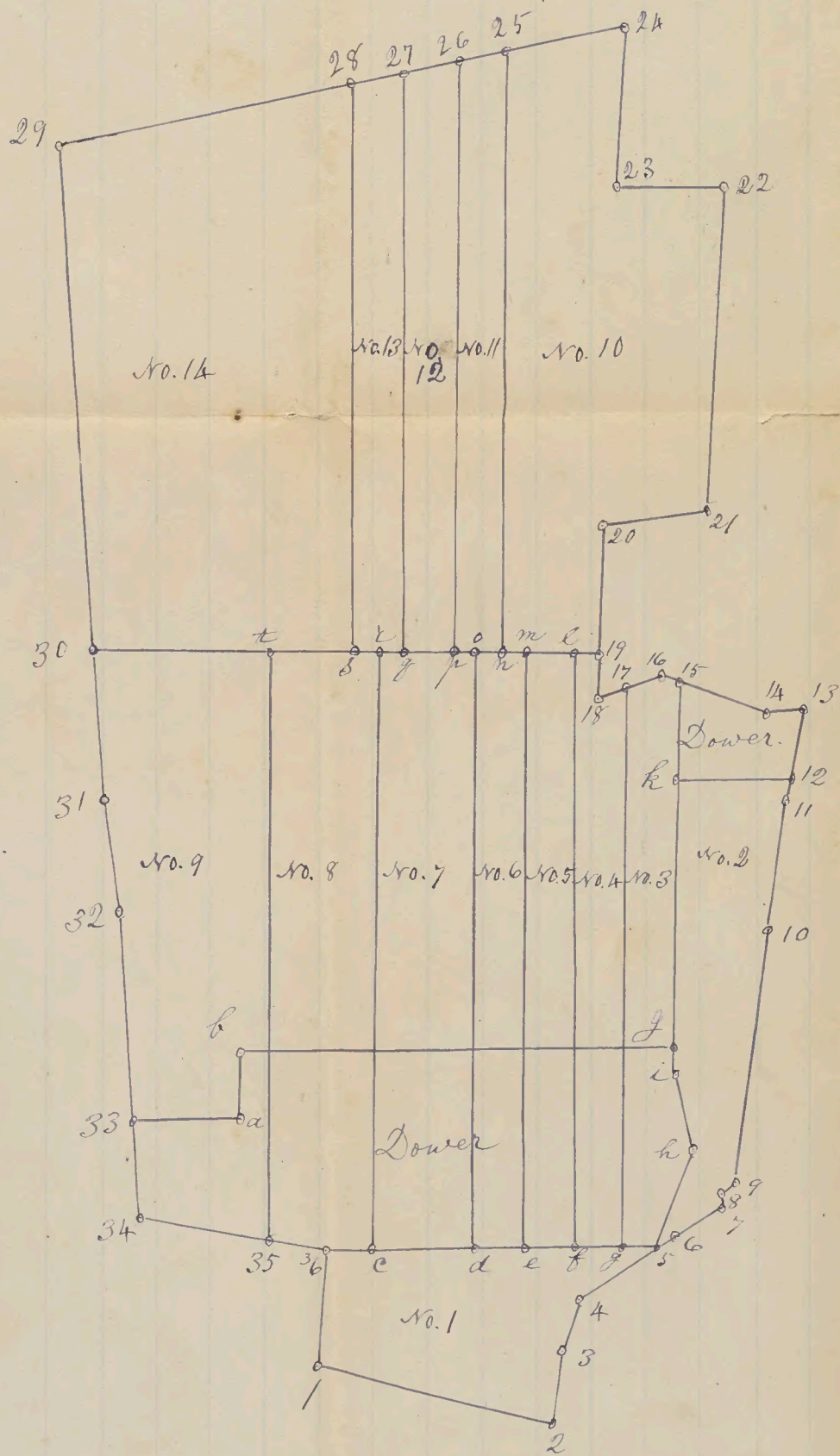
E. S. Woodard 3 days. 3.00

S. Orr 3 days. 3.00

Total. \$18.00

39
1951

N
Meridian line
S



Virginia, Lee County Circuit Court, Feb 14th 1881.

Thomas J Carroll

Pliff

against

C. C. Blankenship Admr et als Defts

In Chancery.

The undersigned Commissioner, who was by a decree rendered in the above cause at the August Term 1880, directed to ascertain what advancements, if any, were made by Gasaway Carroll deceased to his children in ~~their~~ ^{his} lifetime, and if there will be ~~assets sufficient~~ in the hands of the Admr, C. C. Blankenship personal assets sufficient to equalize said heirs, after the payment of debts, charges, widows third &c; respectfully reports, that he has proceeded on this day to discharge said duties,

Your court has taken the depositions of Thomas J Carroll, John C Carroll & Benjamin J Carroll three of the children & heirs at law of said decedent, which are herewith filed marked "C", by which it appears that said decedent left at his death fourteen children, who are still living, and by which it also appears that said Carroll advanced certain sums to some of his children in his lifetime, while there were others he did not advance, and from the facts stated in said depositions, I have prepared and file herewith on the same sheet, with the depositions, also marked "C", a Statement showing the advancements made, and the sums necessary to be paid these heirs not advanced ~~and~~ those not equally

advanced, to equalize them with those having the greatest advancement. The total sum thus necessary to be raised to equalize all the heirs being the sum of \$186.00. I have proceeded to state & settle the account of the Admr. which is herewith filed marked "D." in which I have charged him with his sale bill and an inventory of rents received and amounts collected by him on notes & accounts left by decedent, amounting in the aggregate to the sum of \$292.37, and have given him credit for disbursements made by him in payment of Charges of administration &c and for ten per cent Commission, which I do not think is too much, as the Admr. alleges the Estate has been and will be troublesome, there being a good many little debts to look after and mostly insolvent. Resulting in finding that there remains in the hands of the Admr. for distribution the sum of \$251.72 one third of which \$83.90 will be due to the widows and this will leave the sum of \$167.82 to be distributed among the heirs, which will fall short of the required sum necessary to equalize the heirs, and there will be yet to be paid out of this last mentioned sum, the costs of this suit, which will probably amount to about the sum of \$40.00. The Admr. states to your Court that there is yet on hands, if the crop of last year on the land, One stack of hay and one stack of oats, and that he thinks he will yet be able to collect some debts ^{that were} due the decedent at his death, also as the

land can not now be partitioned, and the report
of the Cour is confirmed before next Nouvelier,
he, the Admr, says he will proceed at once and
rent out the land for the present year; and your
Cour is of opinion, that when this is done, the
rents that will probably be realized for this year
together with the hay & oats yet on hands to be sold,
and the amount the Admr will probably ^{yet} collect
on debts due the decedent at the time of his
death, ~~or sales~~ will raise ^{a sum} sufficient to equalize
the heirs out of the personal estate.

Respectfully submitted
James W Orr. Cour.

Thos J Carroll
vs { Cour Orr's Report
C. L. Blankenship Adm^r of
Filed Feb. 25th 1881.
James W Orr. clk.

Cour's fee \$5.25-

L. L. Blum kenship Admr of Gasaway Carroll decd.
1880 To the Clerk of Lee County Court Lm
Adm. { Entering order appointing you Admr bond &c of \$ 1.00
James W Orr. Clerk

C. B. Blauvelt
and
Son

\$1.00

P.

(303)

1880.

C. C. Blankenship Admr of Gasaway Carroll decd.

To the Clerk of Lee County Court Dr.

Recording Sale Bill. 50, Filing Same. 20, \$.70

Recording appraisment bill. 50, Filing Same. 20, .70

James W Orr, Clerk. \$ 1.40

C. C. Blaukey -
ships

\$1.40

P.

Received of C. C. Blankenship Admr of Gasaway
Carroll decd. One dollar the State tax on the
grant of administration on said estate, Apr 20th 1880.

James W Orr, clk.

No 1.

Lee County, Va

Docten Garaway Carroll estate Dr
to A. J. Penington and Nathan Caps
five dollans for Maken Coffin and
Seventy five cents for halling one
load of plank from The Saw mill
and fifty cents for stacking up seven
teen hundred and eighty feet of plank
This the April 20 day 1880

Lee County Va

I Certy that James Caps personally
before me C. B. Blankenship ^{a Justice of said} and made
^{County} oath that the above account is just
and true and no part of said count has
bin payd here under my hand
this the 3 day of May 1880

C. B. Blankenship, J. P.
Receivd of C. B. Blankenship Administrator
of Garaway Carroll estate in full of the
above account this the 3 day of May 1880

A. J. Penington
Nathan Caps

A. J. Pennington
Walter Coopers
account paid
The amount
\$ 6.25

Jan 21

Gasaway, Carroll's Estate
to A. W. May for
~~the May & Threl~~
5 gal of Bleed domestic The 5th day of Apr 1880

	62 ¹
1 bot of blacking	5-
1 1/2 lb of nails	10
	<hr/> 77 ¹

These articles was got for Burial expenses

I Certify that Mendancy Carroll personally appeared
before me C. C. Blankenship a Justice of the peace
for the State ^{Virginia} and County of Lee and made oath
that the above account is just and true
This 13 day of October 1880

C. C. Blankenship, J. P.

Received of C. C. Blankenship administration
of Gasaway Carroll Estate in full of the above
account This 13 day of October 1880
A. W. May

Albert. Roe
account
for 77¹/₂

No 13.

Virginia, Lee County, to wit:

To A. Edmonson

Constable of said County:

I HEREBY COMMAND YOU TO SUMMON *Zion Filonary* in said county
if to be found in your district, to appear at *J. B. Pennington*
on the *9* day of *Oct* 18*80*, before me or such other Justice of said county as may then be
there to try this warrant, to answer the complaint of *H. B. Blankenship* and upon
a claim for money not exceeding \$50.00, exclusive of interest, to wit: for the sum of \$*10.00* due
by *note* and then and there make return of this warrant. Given under my hand, the *26* day of
May 28th 18*80*.

H. M. Scott J. P.

H. B. Blankenship against *Zion Filonary* } 19th day of *Oct* 18*80*.
Admrs of } [In Debt]
in Carroll } *County* *Jonesville* in said county.
JUDGMENT That the Plaintiff recover of the Defendant \$*—*, with interest from the *—* day
of *—* 18*80*, till paid, and \$*1.00* for costs.

H. B. Joslyn J. P.

Virginia, Lee County, to wit:—To *A. Edmonson* Constable of said county.

I COMMAND YOU, in the name of the Commonwealth of Virginia, that of the goods and chattels of *H. B. Blankenship* *Admrs of* in your county, you cause to be made the sum of \$*—*, with
interest thereon from the *—* day of *—* 18*80*, till paid, which *Zion Filonary*

has recovered before *H. B. Joslyn*
in a warrant in debt, and also the sum of \$*1.00* which was adjudged to the said *Zion Filonary*
for cost in prosecuting said warrant.

Given under my hand the *19th* day of *Oct* 18*80*

H. B. Joslyn J. P.

[Printed by Davis.]

Received of C. C. Blankenship Admr of
 Casaway Corral the sum of one
 dollar - being the costs in full expended
 by him in prosecuting the within warrant
 and in which the judgment for costs was ren-
 dered against him. The same being on a note
 against Given Felony for ten dollars &
 five cents. and dated Feb 17th 1868.
 Given under my hand & seal this
 October 19th 1880.

H. C. Joslyn J.P. (Seal)

C. C. Blankenship

vs.
 Given Felony
 Executed by
 Admr of

Post paid before
 Egg. Joslyn at your will
 on the 19 day Oct 1880
 J B Pennington J.P.

C. C. Blankenship
Admr of G. Carroll.
Vouchers. with
Settlement.

All Available Text Successfully Captured

Virginia Lee County Court:

This day Thomas J. Corroll personally appeared before me and made oath that from his best information and belief, Sally Page, Henry Page, Lundy —, formerly Corroll, and —, her husband, Kiziah Page, and Henry Page are not residents of the State of Virginia. Given under my hand this the 5th day of June 1880.

F. R. Stickley D. Clerk.

Thomas J. Carroll

vs. { Affidavit
6 }

C. C. Blankenship & Son
et als.

S. P. x
H. P. x J. P. x
S - v
K. P. +
H. P. -
J. A. x
C. A. x
T. H. x
P. H. x
D. C. x
B. C. P. x
B. C. x
L. C. x
M. C. x
J. C. x
D. C. x
M. C. x
H. C. x
J. C. x

Virginia:

At Rules held in the Clerks office of the
Circuit Court of Lee County on Monday the
7th day of June 1880.

Thos. J. Carroll — — — — — Pltff.
vs $\frac{3}{2}$ In Chancery,
C. C. Blankenship & Associates — — — — — Defts.

The object of this suit is to have assignment of dower
to the widow of Cassway Carroll decd., a division of the
real and personal estate of said decedent he had among
those entitled thereto, & that they be brought into hatch-
pot; that an account of the advancements mentioned
in the bill be taken and that the administration ac-
count of C. C. Blankenship be settled; And it appearing
from an affidavit filed in the Cause that Sally Page,
Henry Page, Sindy —, formerly Carroll, and — her
husband, Keziah Page and ^{James} Henry Page, are non-resi-
dents of the State of Virginia, it is ordered that they
appear here within one month after due publication of this
order and do what is necessary to protect their interests
in this suit.

A Copy.

Teste - F. R. Stickley D.C.

I hereby Certify that on the first day of the June Term
of the County Court of Lee County I posted a Copy of the
above notice at the front door of the Court House
of said County. Given under my hand this the 5th
day of August 1880. F. R. Stickley D.C.

Thomas J. Carroll,

vs. { Order of Publica-
tion.

Or

C. C. Plautenship
Admr &c et als.

A Copy sent to the
Abingdon Virginian
June 7th 1880.

F. R. Stickley & Co.

THE COMMONWEALTH OF VIRGINIA,

Scott
TO THE SHERIFF OF ~~LEE~~ COUNTY—GREETING,

We Command you to Summon

W. C. Blankenship. Adm. of Lassoway
Carroll dec'd, Mendamia Carroll, Polly Williams, Nera
Milliam, John Carroll, Sally Page, Henry Page, Sindy
—, formerly Carroll, and — her husband,
Keziah Page, James Page, Emiline Adams, Zekiel Adams,
Debby Carroll, Sindy Carroll, Benjamin Carroll, Dock
Carroll, Maria Carroll, Jennie Carroll, and
Henderson Carroll,

To appear at the Clerk's Office of the Circuit Court of Lee county, at the Court-House, on the first Monday in
next, being rule, to answer a bill in Chancery, exhibited in our said Court against *them*

July
by

Thomas J. Carroll,

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Court-House, this

of

June 1850, in the 104th year of the Commonwealth.

7th day
W. C. Blankenship Clerk.
Copy. Lesto. W. C. Blankenship D. C.

(Scott)

10m

Thos J. Carroll,

vs { Pa in Chy.

C. C. Plunkenship,
Admorsc et als.

July Rules 1880.

Not executed for want
of money June the
22nd 1880

R. H. Woodward Ds
for J. R. S. Wilhelm Ds

executed by delivering a
copy of the within to
Adams & Williams.

Adams & Williams
Peri Williams, Belle Williams
& Debby Carroll June the
28th 1880

R. H. Woodward Ds
for J. R. S. Wilhelm Ds

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF LEE COUNTY—GREETING,

We Command you to Summon

C. C. Blankenship Admr of Passoway
Carroll, Dec'd, Mendamia Carroll, Polly Williams,
Neri Williams, John Carroll, Sally Page, Henry Page,
Lindy —, formerly Carroll, and — her husband,
Reziah Page, James Page, Emiline Adams, Zekiah Adams,
Debby Carroll, Lindy Carroll, Benjamin Carroll,
Dock Carroll, Marian Carroll, Jennie Carroll, and
Henderson Carroll,

To appear at the Clerk's Office of the Circuit Court of Lee county, at the Court-House, on the first Monday in *July*
next, being rule, to answer a bill in Chancery, exhibited in our said Court against *them* by

Thomas J. Carroll,

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Court-House, this *7th* day
of *June* 18*80*, in the 104th year of the Commonwealth.

J. R. Stickley, D. Clerk.

to C. C. Blankenship, Admr. Benj. Carroll, Linda
Carroll, Mandana Carroll, John Carroll, Dock Carroll,
Marion Carroll, Henderson Carroll, Jennie Carroll

10m

Thomas J. Carroll,
vs. { Exr. in Chy.

C. C. Blankenship,
Admr. &c et als.

July Rules 1880.

Executed by delivering Cops
of the within to

C. C. Blankenship admr.

Benj. Carroll Linda Carroll

Mandana Carroll John Carroll

Dock Carroll Marion Carroll

Henderson Carroll Jennie Carroll

June 30th 1880

Thos. S. Ely & Co

VIRGINIA:

WASHINGTON COUNTY. TO WIT:

I do hereby certify that the annexed Notice has been published
four weeks successively, ending July 9 1880,
in the "ABINGDON VIRGINIAN," a newspaper published in the
town of Abingdon, Va. Given under my hand this *14*
day of *July*, 1880.

Geo W. Marshall, PUB.

Printers' Fee \$ *1.00*

289/10

VIRGINIA.—At rules held in the Clerk's office of the Circuit Court of Lee county, on the 7th day of June, 1880.
Thomas J. Carroll,

vs.

C. C. Blankenship, Adm'r &c., et als,

Plt'f,

Plf's.

IN CHANCERY.

The object of this suit is to assign dower to the widow of Gosseway Carroll, deceased, and to have a division of the real and personal estate of the deceased, among those entitled thereto.

And it appearing from an affidavit filed in the cause that Sally Page, Henry Page, Sindy —, formerly Carroll, and —, her husband, Kerziah Page, and James Page are non residents of this Commonwealth. They are hereby ordered to appear here within one month after due publication of this order and do what is necessary to protect their interests in this suit.

A copy Teste.

june 18 4t.

F. R. STICKLEY, D. Clerk.